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HEALTH AND MORTALITY

OF

557567

CONVICTS.

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At a meeting of the "Philadelphia Society for the Alleviation of the Miseries of Public Prisons," held April 9, 1849,

The following resolution, offered by Dr. Isaac Parrish, was adopted, viz :

"Resolved, That a select committee of the Society be appointed, whose attention shall be called to the disproportionate mortality, and the relative length of sentences between the white and colored prisoners in the prisons under the inspection of the Society ; said committee to report at a future meeting the result of its investigations."

The committee consists of Drs. Parrish, Gibbons, H. S. Patterson and Edward Townsend.

At a meeting held October 8, 1849.

The committee on the Comparative Health, Mortality, and Length of Sentences of White and Colored Convicts, Dr. Parrish, chairman, presented an elaborate report, when on motion of William Parker Foulke, Esq., it was

"Resolved, That the report be printed entire in the next number of the Journal, and that 250 copies extra of the Journal be printed." Unanimously agreed to.

On motion of Judge Kelly, it was

"Resolved, That copies of the above report, when printed, be sent to the Executive of the State, to the Judges of the Supreme Court, and of the Courts of Common Pleas."

[Extracted from the minutes.]

Feb. 25, 1904

REPORT

OF THE

5577.167

COMMITTEE ON THE COMPARATIVE HEALTH, MORTALITY,
LENGTH OF SENTENCES, &c., OF WHITE AND
COLORED CONVICTS.

Read before the Philadelphia Society for Alleviating the Miseries of
Public Prisons, November, 1849, and ordered to be Published.

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THE Committee appointed in the fourth month last, to investigate the subject of the disproportionate mortality, between the white and colored prisoners, in the prisons under the inspection of the Society, and the comparative length of sentences between these two classes—respectfully report,

That they have given to the subject that serious consideration which its importance demands, and will endeavour briefly to present to the Society the facts and conclusions at which they have arrived.

They conceive that no candid mind can doubt that a wide difference exists between the deaths of white and colored inmates of the Eastern State Penitentiary and of the County Prison; nor that the average length of sentences is considerably greater in the latter than in the former class.

The existence of a higher mortality amongst the colored prisoners at the former institution, was first publicly noticed as early as the year 1837, in the annual report of Dr. Darrach, at that time the physician of the prison, and in the report of the inspectors, for the same year.\* It is further commented upon in the reports of the inspectors, warden, and physician, for the following years, and may be found abundantly verified by the official reports and tables down to the present time.

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\* Ninth Annual Report, p. 4, and p. 12.

In the year 1840, the subject was ably discussed by Dr. B. H. Coates, of this city, a member of the Prison Society, in a paper which he read before it, but which was not at that time made public—Subsequently Dr. Coates made this topic the subject of an elaborate and scientific communication to the meeting convened on the occasion of the centennial anniversary of the American Philosophical Society, under the title of “The Effects of secluded and gloomy Imprisonment on Individuals of the African Variety of Mankind, in the Production of Disease.” This paper was published in 1843, and has attracted considerable attention, though it did not lead to any practical measures for the mitigation of the evil which it so clearly exposed.

Since this publication, facts have been accumulating which give increased importance to the subject, and which have roused the renewed attention of the friends of prison reform, and have led to the appointment of your Committee. The present state of the question, as it relates to the Eastern State Penitentiary, may be learned by the following passage from the physician’s report for the year 1848. “Not the least of the evils I have alluded to, is a want of harmony between the severity of the separate discipline, and the period to which the prisoners are subjected to its influence. Though rigidly correct when applied to all, this remark may be considered as having more especial reference to the colored prisoners, as the average period of their sentences is much longer than that of the whites, notwithstanding that they, in general, much more readily succumb to the enervating influences of imprisonment. Indeed, so true is this, that the fate of two of the colored prisoners who died during the past year, was predicted by the humane judge who was compelled reluctantly to pass their sentence.”\*

Reviewing the history of the Eastern Penitentiary from its opening, in 1829, to the close of the past year, with reference to this question, and summing up the tables of mortality which have been carefully compiled by its officers, we arrive at the following general results.

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\* Twentieth Annual Report, p. 25.

The whole number of white prisoners admitted during this period is 1,631; of colored prisoners, 790. Of the whites, 73 have died; of the colored, 141 have died; that is, there has been a mortality amongst the whites of about  $4\frac{50}{100}$  per cent., and amongst the colored, of nearly 18 per cent.!

There has been, of course, considerable fluctuation in different years; but the above is the general average, as arrived at by an analysis of the tables for the entire period of nineteen years. From the opening of the prison to the first of the year 1840, a general summary of results gives us a mortality of 100 prisoners, out of 1,287 admitted up to that period, or nearly 9 per cent. of the whole number of both colors; and at the close of 1848, a mortality of 214 from 2,421, the whole number of prisoners of both colors, being about the same per centage during those two periods.

At the County Prison, though the average mortality is considerably less than in the Eastern State Penitentiary, yet the disproportion between the two colors is nearly the same. Of 2,818 prisoners sentenced to hard labor in that institution, from its opening, in 1835, to the close of the year 1848, 155 have died, making a per centage of 5.50 per cent. of both colors.\*

Of the whole number of 2,818, 1,526 were whites, of whom 37 died; and 1,392 colored, of whom 118 died—being about 2.50 per cent. of the former, and 8.50 per cent. of the latter.

These figures convey to the mind the facts of the case more impressively than an elaborate and detailed statement of the tables from which they are drawn, could do; and they are presented in this summary form to avoid confusion and embarrassment. The fact of a large disproportionate mortality between the white and colored prisoners, being thus distinctly shown, several questions forcibly present themselves.

Firstly, Is there any difference in the mortality of these classes in the community at large?

Secondly, Do causes which operate with comparative innocuousness upon the white man, produce dangerous and even fatal effects on the colored man?

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\* See table in Second Annual Report of Philadelphia County Prison, p. 30.

Lastly, Is there any distinction made in the treatment of the two classes in prison, which can account for this high mortality of the colored?

That there is a difference in the average mortality of the white and colored inhabitants of Philadelphia, attributable to the combined operation of physiological laws, and to the wide difference in the external circumstances of these two classes in the community, is generally admitted.

But if any confidence is to be placed in the accuracy of the statistics which have been collected upon this point by careful and unprejudiced inquirers, this disproportion is altogether inadequate to explain the high rate of mortality which prevails amongst colored prisoners.

By reference to the admirable tables of Dr. Emerson, on the vital statistics of Philadelphia,\* we find that during the decennial period from 1830 to 1840, the annual average of mortality, including both sexes and all ages, amongst the white inhabitants of the city and districts, compared with the general white population, was 1 in 43; the highest rate of mortality being 1 in 29, in 1832, (the year in which Cholera prevailed,) and the lowest, 1 in 52.

During the same period, amongst the colored population of the city and districts, the average mortality for all ages was 1 in 31; the mortality in 1832 being 1 in  $22\frac{1}{2}$ , and in 1840, 1 in  $38\frac{1}{2}$ .

The white mortality, therefore, was 2.37 per cent., and the colored mortality,  $3\frac{1}{4}$  per cent.

It has also been found—by a comparison of the rate of mortality of the colored population during this decennial period, with that which preceded it, viz., from 1820 to 1830—that there has been a considerable improvement in the health of this class, the average mortality during this latter term having been as 1 to 21.

If the above estimate be correct, and allowing that the present decennial period should exhibit no improvement beyond the past, we should still have a difference of 13.34 in the hundred, between the deaths of white and colored inmates of

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\* American Journal of Medical Sciences for July, 1848.



prisons, and of not quite 1 in the hundred between the mortality of the two classes in the community at large. That is, 4 blacks to 1 white die in prison, and in the community not quite 2 to 1.\* The high mortality in our prisons, is rendered more striking from the fact, that at least three-fifths of their inmates are between 20 and 40 years of age, or at that period of life when there is the greatest physical energy, whereas the general average of mortality in the community includes infants, young children, and the aged, who die in a much larger ratio.

It is evident, from these facts, that the difference which is found to exist in the average mortality of the white and colored inhabitants in the community at large, will not of itself furnish an explanation of the disproportionate mortality in prison.

Causes must therefore be in operation in the prison to produce results which do not exist outside of its walls; and if the treatment pursued there be the same to the white and colored, then these causes must operate with greater intensity upon the latter. How far, then, is the large mortality of the colored dependent upon a natural intolerance of the race to the confinement to which they are subjected? and how far does it depend upon an inequality in the measure of their punishment?

An inquiry into these points will throw some light upon the question under consideration. That there is an essential difference between the white and colored races in their susceptibility to solitary confinement, is, we think, as clearly established, as any medical fact. A degree and duration of confinement which can be borne with comparative safety by the healthy

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\* It is proper to remark here, that the rate of mortality in prisons, as above indicated, is based upon the number of deaths occurring in those *admitted* during a series of years, and not upon the averages of deaths occurring during each year, calculated from the annual average of prisoners during that year. Such a calculation may convey a false impression, by making it appear that a much larger number have been subjected to confinement than have actually been so situated—and thus make the ratio of mortality appear less than it is. It is also to be observed, that the statistics of mortality in the community at large, during a decennial period, as given above, are made up from these annual averages, and hence make the disproportion between the ratio of deaths in the community and in prison appear larger than it actually is—at the same time the relative mortality of the white and colored is not materially altered by either method of calculation.

white man, often proves highly detrimental, and even fatal, to the black or mulatto, of the same age and state of health. Upon this point, Dr. Coates has thus expressed himself, in the paper to which we have referred.—“The negro, or even the mulatto, is a very different person in his physical and psychical conformation, from that one who may be presumed to have been held in view in our legislation, the white Anglo-Saxon, Celt, or German. His ancestry and the prototype of his race, are calculated for the torrid zone; and even the mixed progeny suffer severely and mortally by our cold. Cheerful, merry, lounging and careless, the Ethiopian American deeply enjoys the sun and light; delights in the open air; and is, as a general rule, constitutionally free from that deep, thoughtful anxiety for the future, so conspicuous in his paler neighbour. The face of heaven seems to him necessary to his existence; and though long confinement is, in his case, less productive of gloomy remorse, it is far more depressing to his vitality.”

Admitting this natural distinction in the vitality of the two races, it is equally clear that it is modified by external circumstances, and that it will become less marked as the colored American advances in the scale of civilization. Thus it is shown by the tables of Dr. Emerson, that the gradual improvement which is going on in the social and intellectual condition of this portion of our population, is producing its influence on the scale of vitality, and has diminished their average mortality from 1 in 21, to 1 in 31, during two decennial periods.

Assuming it therefore as a fact, that there is in the colored race, as a class, less power of resistance to the enervating effects of long continued confinement, let us next inquire whether any other causes exist, which will aid in the explanation of the large mortality to which our attention has been drawn.

This inquiry did not escape the searching investigation of Dr. Coates, who arrived at the conclusion that no distinction was made in prison in the treatment of the two classes, “unless it be, that, from the dislike of cold, the colored convicts deprive themselves of a portion of their ventilation.” From this opinion we have no reason to dissent; but there are several elements in the consideration of the question of treatment, which have not been noticed in the paper of Dr. Coates, and which we think very important to be taken into the account.

The most prominent of these are, the disparity in the length of sentences, and the infrequency of pardons amongst the colored convicts. It is well known, and the fact is verified by the official records of the Eastern State Penitentiary, that the colored prisoners are more frequently visited with long terms of confinement than the whites.

Taking a general average of the length of sentences of the two classes, during the period of 19 years, it will be found, that 2 years, 8 months, and 2 days, is the average duration for the whites; and 3 years, 3 months, and 14 days for the colored.\*

This fact, viewed in its relations to the administration of our penal code, is worthy of serious inquiry, while it furnishes a ready explanation of one cause at least of the high mortality which visits the colored prisoners.

The length of sentences, it is well known, exercises a powerful influence in determining the health and mortality of all penal institutions, and more especially of those conducted on the separate plan. Many individuals who can bear incarceration and isolation from Society for one or two years, without injury to their health, will oftentimes suffer permanent mischief, and even death itself, before the expiration of a prolonged term. That there is a great diversity in this respect amongst prisoners, is as true as that there is every shade of difference in the constitutional vigor of individuals, and of whole families. A confinement which could be borne by a healthy and robust individual with impunity, might destroy another having scrofulous tendencies, or possessing less inherent vital force; both being in the enjoyment of accustomed health when first imprisoned.

The danger, therefore, of applying one general rule to all, must be obvious, and is no doubt often attended with serious results.

The influence of long sentences is forcibly illustrated by the difference in the ratio of mortality in the State and County Prison. In the former, as before remarked, the per centage for both colors is nearly 9 per cent., while in the latter it is only  $5\frac{1}{2}$

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\* Twentieth Annual Report, p. 25.

per cent.; the disproportion between the two colors being about the same in each. This wide difference is doubtless mainly attributable to the fact, that in the State institution, the sentences for grave crimes range from 1 to 21 years, their average duration being, at least, three years; while in the County Prison, the period of confinement does not exceed a year in the large majority of cases, and in many is under six months. Thus, in the year 1848, of 160 prisoners admitted to hard labor, 67 were committed for less than six months, 40 for over six months, 39 for one year and over, 11 for two years and over, and 3 for three years and over. This diminished rate of mortality in the County Prison is the more striking, inasmuch as the inmates of that institution are derived from the city and suburbs, many of whom have been exposed from childhood to the depressing influences which abound in a crowded population, and to the effects of vicious and intemperate habits; while a majority of the prisoners in the State institution come from rural districts, and are altogether a more robust and healthy class.

That there is no superiority in the discipline, or cleanliness of the County Prison over the Eastern State Penitentiary, which might influence these results, we feel assured. On the contrary, the absence of exercise yards, and the previous filthy habits of the prisoners, would lead us to expect more disease within its walls.

We think, therefore, that the difference in the length of sentences in the two institutions may be fairly stated, as the cause of this disproportion in the mortality.

Another circumstance which operates powerfully to the disadvantage of the colored convict, is the fact that he is seldom the object of executive clemency.

Of the 1,631 white prisoners admitted previous to the close of the year 1848, 253 have been liberated by pardons; while of the 790 colored prisoners received during the same period, only 25 have enjoyed this boon!

Not that the heart of the executive which has been so often moved with compassion toward the white man, is steeled against like appeals on behalf of his fellow prisoner of a darker hue; but in the one case, the seat of power is besieged by a troop of anxious relatives and interested friends, who touch

the chords of sympathy, until there is a response to their desires; while in the other, no voice is raised for the deliverance of the captive; or if a word be spoken, it is with distrust and diffidence. Thus it is that the white convict is frequently liberated before he has experienced the full effect of a prolonged sentence, while the friendless negro must toil on, until his enfeebled frame yields to the unrelenting mandate of the law. We have no means of ascertaining the number of pardons granted on account of ill health, though it is reasonable to suppose that a motive so humane would not unfrequently influence the executive. But putting aside this consideration, we feel assured that the injurious effect of long sentences in the production of disease and death, is greatly modified in the whites by the large number of pardons; while in the blacks, it operates with almost uniform intensity. Notwithstanding the shorter sentences of the white prisoners, they are liberated before the expiration of their terms, in the proportion of 15 to every 100 convicted; while the colored are pardoned at the small rate of 3 to every 100.

Supposing the sentences of the whites to be of equal duration with the colored, and the ratio of pardons the same, who can doubt that the average mortality for both colors would be increased, and the disproportion which now exists between them be considerably lessened?

Reducing this proposition to figures, we should have the following general results:—141 deaths out of 790 colored prisoners is one in 5.60, or 17.84 per cent. If these had been pardoned in the same proportion as the whites, 122 would have been thus liberated, or 97 more than were pardoned; being 8.14, or a little more than  $\frac{1}{8}$  of the whole number; therefore the chances of death would have been diminished a little more than  $\frac{1}{8}$ , making the ratio of mortality under these circumstances one in 6.40, or 15.64 per cent., or 2.20 less in the 100.

Seventy-five deaths among 1631 white prisoners, is one in 22.37, or 4.47 per cent. If whites had been pardoned in same proportion to the whole number as the blacks, but 51 would have been thus discharged; being 202 less than were, or 8.07, or a little more than  $\frac{1}{8}$  of the whole—consequently the liability to death would have been increased rather more than  $\frac{1}{8}$ , which would

give a mortality of one in 19.88, or 5.03 per cent., or  $\frac{5.6}{100}$  per cent. increase.

Examining more minutely into the influence which the internal economy of these institutions may have upon health, we find several points worthy of remark.

*Firstly.* The construction of the buildings is such as almost entirely to exclude the direct rays of the sun, both from the cells and yards, and thus to render them damp and cheerless. The effect of this must prove highly prejudicial to health. The influence of the solar rays, in invigorating and sustaining the physical powers, and its positive necessity to the maintenance of life and health, is amply proved by medical experience.

The blanched, wilted skin and enfeebled frames of the wretched inhabitants of cellars, and the stunted growth and still more deplorable condition of their deformed and rickety offspring, have been made familiar to us, by the researches of modern philanthropists into the sanitary condition of the poorer classes of Great Britain, more especially in the working of the factory system, and in the mining operations of that country.

The influence of sun-light upon vegetable life, as seen in the growth of plants, is familiar to all. The pallid and sickly leaf, and the dull languishing flower which has come forth in the shaded corner of a garden, or within a narrow walled enclosure, contrasts strongly with the lively green, and beautiful tints of the plant which flourishes in the open ground, or under the direct rays of the sun, while the natural tendency of confined plants towards the light and air of heaven, reveals a native instinct even in this lower order of organized structure, which points with unerring significance to the existence of the same law in the higher developments of living beings.

The effect of the deprivation of sun light is, we think, manifest in the pallid and sickly hue of many of the prisoners who have long been incarcerated in our prisons, and we cannot doubt influences the health in an important degree, especially of the colored convicts.

The operation of the same causes upon plants, may also be seen in these institutions. A few years ago, an intelligent

prisoner at Cherry Hill, in order to beguile his weary hours, and to gratify an innocent taste for flowers, undertook to rear a running vine along the wall of his cell. By care and attention he conducted it safely to the narrow opening at the top of the cell, which admits light and air, and when arrived here, the plant, true to its instincts, put forth upon the outer wall, and soon displayed itself upon the roof. Within, its leaves wore a blanched and sickly hue, and seemed to droop, as though repining in solitude; at the window they assumed the lively green of a healthful and vigorous vegetation, and sprang forth into the air clothed in the full vesture of nature.

The secluded prisoner within saw the object of his care pale and languishing, while the passer by without viewed it in the full bloom of health and vigor.

*Secondly.* The impurity of the atmosphere in the cells of prisons, is a prolific source of ill health. From the construction of these apartments, it is impossible to secure a free ventilation, except by the partial opening of the doors fronting on the corridor, and on the yard in the rear of the cell. This is only practicable during the summer months, and has but recently been put into practice, during this season. At other times, the ventilator at the top of the ceiling gives egress to a portion of the impure air, though without establishing a current of pure air through the cell; and in cold weather even this means of ventilation is cut off by the prisoners, to prevent the ingress of cold air from without. In addition to this, the smell from the cess pipes with which each cell is provided, and which are sometimes offensive, together with the odor from the person, and from the materials employed in labor, are so many sources of insalubrity. The cells of congregate prisons are still more confined than ours, but the deleterious influences produced by them upon health, are in a good degree counteracted by working in the open air, or in large workshops during the day, while an opportunity is offered for daily airing and cleansing, while the prisoner is absent at his work.

*Thirdly.* The trades pursued at the State and County Prison are especially inimical to health, and exercise a marked influence upon the mortality of the colored convicts.

These are chiefly shoemaking, weaving, and bobbin wind-

ing, and are carried on as before remarked in the same cell in which the prisoner eats and sleeps. There he sits almost constantly during the working hours of the day, and oftentimes during the evening, either at the loom, or on the bench, without change of scene, and without exercise in the open air, save what he obtains during an hour in the small yard attached to the cell. The effect of such a course of labor upon the health is obviously injurious, and if long continued, must result in many constitutions in serious and even fatal disease. In the colored convicts especially, its influence in the production of scrofula and consumption is painfully conspicuous, and furnishes a powerful motive for a change in this department of the discipline. Upon this point, we are enabled to furnish a series of facts, to which we solicit the earnest attention of the Society. In the Seventeenth Annual Report of the Eastern State Penitentiary, will be found an elaborate table, prepared by Dr. Given, with the aid of John S. Holloway the clerk, presenting a complete statistical history of the medical department of this institution, from its opening in 1829, to the close of the year 1846.

In this table, is reported the number of prisoners received at different ages, their health on admission, length of sentence, the proportion whose health have been improved or impaired, or who have died at different periods of their confinement, with the trade or occupation at which each prisoner was employed, with separate tables for the white and colored prisoners.

We have in fact the most important circumstances in the history and physical condition of the individual, arranged and classified in a convenient form; and compiled with a candor and accuracy highly creditable to its authors, and not elsewhere to be found.

A glance at these tables will reveal the state of health and mortality of the two classes, in connection with their occupations, together with the period of imprisonment at which death took place—thus furnishing the most satisfactory data as to the influence of a particular mode of life, upon the health. A summary of these valuable statistics furnish us with the following general results.



WHITE WEAVERS.—During the period referred to, 411 white prisoners were employed as weavers.

Of these, 40 were 20 years of age and under. Of whom 1 died in the first year of his confinement.

229 were between 20 and 30 years of age; of whom 12 died—2 in the first year of their confinement.

5 between the first and second year.

3 during the second year.

1 between the third and fifth year.

1 between the fifth and seventh year.

97 were between 30 and 40 years of age; of whom 4 died—

2 between first and second year of confinement.

1 between the second and third year.

1 between the third and fifth year.

36 were between 40 and 50 years of age, no death.

9 between 50 and 70 years; of whom 1 died within the first year of his confinement.

Total, 411, and 18 deaths.

Of these 18 deaths, 10 are reported as having entered the institution in good health, and 8 in imperfect health.

COLORED WEAVERS.—Within the same period, 172 colored prisoners were employed as weavers. Of these, 36 were 20 years of age and under; of whom 7 died—

3 between the first and second year of imprisonment.

4 between the second and third year.

105 were between 20 and 30 years of age; of whom 13 died—1 within a year of confinement.

3 between one and two years.

6 between two and three years.

2 between four and seven years.

1 between seven and ten years.

26 were between 30 and 40 years of age; of whom 4 died—

2 within the first year.

2 between the second and third year.

3 were between 40 and 50 years of age, no death.

2 were between 50 and 70 years of age; of whom 1 died between the third and fifth year of imprisonment.

Total, 172. Deaths, 25; of these deaths, 9 are reported as

having entered the prison in imperfect health, and 16 in good health.

WHITE SHOEMAKERS.—From 1829 to the close of the year 1846, 441 white prisoners were employed as Shoemakers.

57 of these were 20 years of age and under; of whom 1 died between the fifth and seventh year of his imprisonment.

229 were between 20 and 30 years of age; of whom 9 died—  
2 within the first year.

3 between the first and second.

2 between the second and third.

2 between the third and fifth.

102 were between 30 and 40 years of age; of whom 3 died—1 within the first year.

2 between the first and second year.

41 were between 40 and 50 years of age, of whom 3 died; all within the first year of their imprisonment.

12 between 50 and 70 years of age; of whom 1 died between the second and third year of confinement.

Total, 411. 17 deaths; of these, 9 are reported as having entered the prison in imperfect health, and 8 in good health.

COLORED SHOEMAKERS.—226 colored prisoners were employed as Shoemakers. Of 20 years of age and under, 56; of whom 19 died—

3 within the first year.

10 between the first and second.

4 between two and three years.

2 between three and five years.

121 between 20 and 30 years of age; of whom 25 died—  
4 within the first year.

10 between one and two years.

8 between two and three years.

3 between three and five years.

From 30 to 40 years of age, there were 38; of whom 5 died—2 between one and two years.

2 between two and three years.

1 between three and five years.

From 40 to 50 years of age there were 9; of whom none died; and from 50 to 70 years of age, 2; of whom none died.

Total, 226, and 49 deaths. Of these, 27 are reported as having entered in imperfect health, and 22 in good health.

WHITE BOBBIN WINDERS.—403 white prisoners were employed as Bobbin Winders.

48 of 20 years of age and under; no death.

148 between 20 and 30 years; of whom 6 died—

4 within the first year of confinement:

1 between two and three years.

1 between three and five years.

93 from 30 to 40 years of age; of whom 5 died—

4 within the first year.

1 between the second and third year.

62 from 40 to 50 years of age; of whom 6 died—

4 within the first year.

2 between the first and second year.

52 from 50 to 70 years of age; of whom 2 died within the first year.

Total, 403. Deaths, 19. Of whom, 15 are reported as in imperfect health on admission, 4 in good health.

COLORED BOBBIN WINDERS.—294 colored prisoners were employed as Bobbin Winders.

90 of 20 years of age and under, of whom 18 died—

6 within the first year.

8 between the first and second.

4 between the second and third.

127 between 20 and 30 years of age; of whom 18 died—

6 within the first year.

7 between the first and second.

3 between the second and third.

2 between the third and fifth.

53 between 30 and 40 years of age; of whom 7 died—

4 within the first year.

2 between two and three years.

1 between three and five.

15 between 40 and 50 years of age; of whom 1 died between the third and fifth year of confinement.

9 between 50 and 70 years of age; of whom 2 died—

1 within the first year.

1 in the second year.

Total, 294. 46 deaths. Of whom 31 are reported as having entered in imperfect health, and 15 in good health.

**TAILORS.**—Within the same period, 24 white prisoners were employed as Tailors; of whom 1 died in the second year of his imprisonment.

There were 34 white prisoners employed as Blacksmiths; of whom 1 died between the first and second year.

54 white prisoners were employed as Carpenters; no death amongst the Carpenters.

We perceive from these statistics a remarkable disproportion in the mortality of the white and colored prisoners, employed at the three trades of weaving, shoemaking, and bobbin winding. While at blacksmithing, carpentering and tailoring, the two former being much more healthy occupations; no colored prisoners, and very few whites have been employed.

The largest mortality is amongst the colored shoemakers of 20 years of age and under, where we have 19 deaths in 56 prisoners, or 34 per cent. Amongst the colored bobbin winders at the same period of life, there are 18 deaths in 90, or a mortality of 20 per cent.; and amongst the weavers, at the same period of life, 7 deaths in 36, or 19.44 per cent.

Taking a general average of the mortality of white and colored of all ages in these occupations, we have for the white shoemakers a mortality of about 4 per cent.; and for the colored shoemakers 21.68 per cent.; difference, 17.83. For the white bobbin winders about 4.71 per cent.; colored bobbin winders 15.27 per cent.; difference 10.46. White weavers, 4.38 per cent.; colored weavers, 15.11 per cent.; difference, 10.73.

The diseases of which these prisoners died, were chiefly of a chronic character. Of the 176 deaths reported in these tables, 63 are referred to pulmonary consumption, 28 to scrofula and tubercles of other parts, and a large proportion of the remainder to other chronic affections.

At this point the investigations of the committee might perhaps cease, as they were appointed with more especial reference to the mortality in the prisons under the inspection of the Society. But the inquiry naturally arises, are the results obtained in the prisons of Philadelphia peculiar to these institutions, and inseparable from the system of confinement practised here, or are they to be found in other prisons conducted upon the same plan, as well as in those where associate labor in work-shops, and in the open air is adopted?

The committee regret that the materials for arriving at a satisfactory solution of this quere, are not at their disposal. The published statistics of most of the prisons of the United States fall far short of that completeness and accuracy which distinguish our own, and which could alone enable us to submit them to the same searching scrutiny. Tables, such as those from which the above results have been drawn, rarely appear; and in some, the deaths of the white and colored are not even designated.

The only two separate penitentiaries besides those at Philadelphia, are the Western State Penitentiary, at Pittsburg, and the State Prison of New Jersey, at Trenton. From the former we have, in the Report of the Inspectors for 1847, a statistical table of mortality, covering a period of ten years, in which is recorded the number of prisoners received in each year, the white and colored being designated, with the deaths of the two classes, and their diseases, the time in confinement before death, and the age of the deceased. From this table, we learn, that from 1837 to 1847, 797 prisoners were admitted to hard labor; of these, 668 were white, and 129 colored; of these, 26 deaths occurred amongst the whites, and 13 amongst the colored, or not quite 3.90 per cent. of whites, and about 10 per cent. of colored.

During the same period, there were 156 pardons at Pittsburg, or nearly 20 in every 100 were released before the expiration of their terms, a larger number than at the Eastern State Penitentiary. What number of these pardons were on account of ill health, and how many were from the white, and how many from the colored convicts, does not appear. It is evident, however, that the general average of mortality at this institution, is influenced by the pardons, to an extent greater

than at the Eastern Institution, where the pardons for both colors amount to only 11.50 in the hundred.

The data furnished by the published reports from Trenton, are not sufficiently full for the purpose of this report; and the committee have failed in procuring returns embracing the several points involved in this inquiry, in time for insertion here. Should these be obtained at any future period, they will be placed at the disposal of the Society.

We have no published statistics from the several congregate prisons in the United States, which would enable us to institute a just comparison between them and those to which our attention has been specially directed. But in order in some measure to supply this defect, a letter was addressed by the chairman of this Committee to Dr. J. W. Bemis, of Charlestown, Mass., requesting information from him upon the state of health at the Massachusetts State Prison, of which he has been for some years past the physician.

The information desired was embraced in the following queries:

First. As to the number of prisoners received there from the year 1829 to 1849.

Secondly. The number of white and colored.

Thirdly. The number of deaths during this period, with the number of white and colored; and the disease of which each prisoner died—with the period of his confinement at which death occurred.

Fourthly. The average length of sentences of white and colored inmates.

Fifthly. The number of pardons granted during this period, and the proportion of white and colored pardoned.

In answer to these inquiries, the Committee were obligingly furnished with tables prepared under the direction of Dr. Bemis, embracing most of the information sought for, being defective only in the item relating to the average length of sentences.

Without presenting the full details of these tables, the Committee will content themselves with giving a general summary, as they have done with the documents from other institutions.

## STATISTICS FROM THE MASSACHUSETTS STATE PRISON, AT CHARLESTOWN.

|                                              | Whites. | Colored. | Total. |
|----------------------------------------------|---------|----------|--------|
| 1829, October 1, in prison,                  | 258     | 32       | 290    |
| Received from Oct. 1, 1829, to Oct. 1, 1839, | 908     | 98       | 1,006  |
|                                              | <hr/>   | <hr/>    | <hr/>  |
|                                              | 1,166   | 130      | 1,296  |
|                                              | <hr/>   | <hr/>    | <hr/>  |
| Deaths,                                      | 45      | 13       | 58     |

45 white deaths in 1,166, is 3.86 per cent., or nearly  $3\frac{7}{8}$  in the hundred.

13 colored deaths in 130, is 10 per cent., or 10 in the hundred.

58 deaths of both colors in 1,296, is 4.47 p. ct., or nearly  $4\frac{1}{2}$  in the hundred.

|                                             | Whites. | Colored. | Total. |
|---------------------------------------------|---------|----------|--------|
| 1839, Oct. 1, in prison,                    | 291     | 27       | 318    |
| Received from Oct. 1, 1839, to Oct. 1, 1849 | 944     | 101      | 1,045  |
|                                             | <hr/>   | <hr/>    | <hr/>  |
|                                             | 1,235   | 123      | 1,363  |
|                                             | <hr/>   | <hr/>    | <hr/>  |
| Deaths,                                     | 21      | 5        | 26     |

21 white deaths in 1,235, is 1.70 per cent., or not quite  $1\frac{3}{4}$  to the hundred.

5 colored deaths in 123, is 3.90 per cent., or nearly 4 in the hundred.

26 deaths of both colors in 1,363, is 1.90 p. ct., or nearly 2 in the hundred.

*For the Twenty Years.*

66 white deaths in 2,110, is 3.12 per cent., or  $3\frac{1}{8}$  in the hundred.

18 colored deaths in 231, is 7.79 per ct., or a little over  $7\frac{3}{4}$  to the hundred.

84 deaths in 2341, is 3.58 per cent., or a little more than  $3\frac{1}{2}$  in the hundred.

*Pardons.*

254 white pardons in 2,110, is 12.04 per cent., or 12 in the hundred.

14 colored pardons in 231, is 6.06 per cent., or 6 in the hundred.

268 pardons in 2,341, is 11.44 per cent., or nearly  $11\frac{1}{2}$  in the hundred.

The diseases at Charlestown are very similar to those which prevail in the prisons of Philadelphia; the large proportion being of the chronic character. Of the whole number of deaths, 46 were from consumption and tubercles, 10 from dropsy of

the abdomen or chest; and of the rest, but 7 were from acute diseases. Of the 18 deaths of colored prisoners, 11 are reported as dying of consumption, and 4 of dropsy; 1 of disease of pancreas, 1 of chronic peritonitis, and 1 of old age. The period of confinement at which death occurred, in these cases, is stated as follows:—One at 11 years, one at 9 years, one at 8 years and 4 months, 2 at 7 years and 8 months, one at 4 years, 2 between 3 and 4 years, one between 2 and 3 years, 3 between 1 and 2 years, and 6 under a year. Of these 18, 3 were under 20 years of age, 6 between 20 and 30, 5 between 30 and 40, 2 between 40 and 50; 2, age unknown—one of whom is reported as dying of old age.

The average length of sentences, and the proportion which the terms of the white and colored bear to each other, was not conveniently attainable; but Dr. Bemis is of the opinion that the average length of sentences of the blacks is longer than that of the whites. The state of health of prisoners on admission is not recorded, though Dr. B. believes that the number is very large who are admitted “broken down by intemperance, excess, and exposure of every kind.” The recent law for the removal of cases of insanity to the Insane Asylum at Worcester, has been thought by some to diminish the mortality at Charlestown. Upon this point, Dr. Bemis remarks, “That previous to 1844, there was no law for the removal of those sent here insane, or who became so here. In 1844, 7 insane were sent to the Worcester Asylum; whether they were all insane or not, when sent here, I know not. In 1845, in January, I was appointed the medical officer, and since that time I can speak:—One case recommitted, in 1846, to Worcester—not a new one; 2 cases of dementia—stupid when they came here—not sent; 1 case in 1848—sent here insane, and sent to Worcester; these are all.”

From these facts it would appear that the discharge of cases of insanity from this prison, could not materially affect the general ratio of mortality.

It will now be perceived that the number of prisoners admitted into the two institutions, of Massachusetts and Pennsylvania, during a like period of time, has varied but little—in the former 2,341, in the latter 2,421, The whites at Charlestown



number 2,110, the colored 231. At Philadelphia, the whites are 1,631, colored 790. Of the 2,110 whites at the Massachusetts institution, 66 died; of the 1,631 at the Pennsylvania institution, 73 died. Of the 231 colored at the former, 18 died; of the 790 colored at the latter, 141 died. During the same period, there were at the Massachusetts Prison, 268 pardons, or 1 to every 11.44 convicted, and at Eastern Penitentiary 278 pardons, or 1 in every 11.50. The proportion of colored persons pardoned in Massachusetts is as 6 in the 100; in Pennsylvania as 3 in the 100.

In selecting the State Prison of Massachusetts for this comparison, the committee were not actuated by a desire to become involved in the controversy as to the comparative merits of the two systems of confinement, of which the Eastern State Penitentiary of Philadelphia, and this prison have generally been regarded as the exponents—but simply to present the facts as derived from authentic and official sources. They believe that the Charlestown prison is one of the best managed congregate prisons in the Union, especially when considered in reference to the arrangements for health; and hence, although a comparison with it, on this score, might appear disadvantageous to other institutions, yet it is important to take advantage of the experience thus furnished to aid in the improvement of the less salubrious establishments. Without inquiring into the details of the discipline at Charlestown, it may be stated in general terms, that the occupations pursued there are generally of the healthy and athletic kind. The prisoners labor in large, airy work shops, and those who are placed at sedentary trades are allowed an hour each day for exercise in the open air. In 1848, there were employed, 72 stone cutters, 2 carpenters, 3 tool grinders, 6 team hands, 20 blacksmiths, 2 whitesmiths, 14 tin-workers, 4 printers, 69 cabinet makers and upholsterers, 5 carvers, 21 brush makers, 5 tailors, 13 shoemakers, 1 cooper, 9 employed in cookery, 1 baker, 2 barbers, 2 washers, solitary prison sweepers, &c., 9, wood sawyers, coal carriers, &c., 6, hospital attendants 2, waiters and runners, in shops and house, 6\*. So far, then, as the influence of trades upon health is con-

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\* See Documents relating to the State Prison, 1848, p. 9-10. Senate, No. 5.

cerned, it will be seen that the Charlestown Institution has a great advantage over the prisons of Philadelphia, and that this is peculiarly felt by the colored convicts, who suffer so much in our prisons, from the want of out-door exercise and active employment.

Other hygienic arrangements exist at Charlestown, which are believed to be promotive of the general good health which prevails there, amongst which may be mentioned a regular system of bathing, during the entire year, a wholesome and nutritious diet, excellent accommodations for the sick and invalid prisoners, and a general mildness of discipline, which may counteract, in some measure, the depressing influences of imprisonment.

Such, then, as stated in a general form, are the results of the examination made by your Committee, of the facts within their reach, bearing upon the inquiry directed by the Society. These results are obviously qualified by the committal of insane persons, and persons otherwise diseased, as noticed in the medical reports from year to year; but the leading facts, those which have governed the plan of this report, are of sufficient importance to be presented to the Society, as motives for earnest and special effort on their part. It is evident that a class of persons, who, from various causes, form a considerable portion of the whole number of the inmates of our prisons, and are known to be peculiarly susceptible to the enervating influences of prison life, are subjected, disproportionably, to the causes of disease and consequent death; that the *courts*, by the undue length of sentences; that the *Executive*, by an unequal distribution of pardons; and that the system of prison labor, by its want of adaptation to clear indications of hygiene, are all pressing with undue force upon the class in question; and we are thus brought to concur in the conclusion already frequently announced by the medical officer of the Eastern Penitentiary, that there is an excess of mortality.

It appears to your Committee that each prisoner should have at least a sufficient supply of pure air, and of sun-light, within his cell, or workshop, to insure the healthful performance of his functions; a greater variety of occupations, and those of the

more healthful class, should be introduced; and working in the open air should be especially encouraged in cases of feeble or flagging health, or in those predisposed to scrofula and consumption.

The latter is imperatively demanded for many of the colored prisoners, especially those of 20 years of age and under, who die in such appalling numbers at the sedentary occupations at which they are now placed. In the opinion of your Committee, these modifications could be introduced without encroaching upon the principles of the separate system, and at a moderate expense. Their adoption would be followed, we think, by a marked diminution both in the mortality and insanity, together with an improvement in the general productiveness of the establishment. For while a system is pursued which enfeebles and enervates both body and mind, the full results of labor cannot be realized, nor can the moral influences which tend to reformation, be rendered effective. If, therefore, some radical and permanent measures are not adopted to this end, life and health will be subjected to continued hazard, and the whole system of separate confinement be brought into disrepute.

To the humane mind, the sacrifice of human life under a penal system, which professes as one of its chief ends, the restoration of the offender to the bosom of society, is fraught with the most serious reflections. No matter how poor or degraded the object, he is still entitled to the protection of society, and his life is equally precious in the sight of Heaven, with that of his more prosperous neighbour. The law so professes to regard him, when it consigns him to a prison, as a just punishment for his crimes; but when the state assumes the control of his movements, and appropriates the proceeds of his labor, it is equally bound to protect him, and to neglect no reasonable measure to preserve his mental and physical health.

Your Committee are not unmindful of the embarrassments which attend the administration of public institutions of this kind: the popular prejudice against prison labor, the complaints of tax payers, the prevalent sentiment against making prisoners too comfortable, and the difficulties of securing proper legislative interference, are all obstacles in the way of reform. Nevertheless, feeling, as we all do, a deep interest in a question so

closely identified with the interests of humanity, we cannot remain indifferent or inactive in the present case. Your Committee have noticed, with satisfaction, that recent measures for the improvement of the health of the inmates of the Eastern State Penitentiary, have been commenced, and they cannot but hope, that they will be vigorously prosecuted, until their object is accomplished. In the meantime, it is the manifest duty of the Society, to watch with unceasing vigilance the operation of these measures; and to urge persevering and energetic action, until the evils complained of are removed. Their position before the public is one of heavy responsibility, and upon their action much will depend.

Respectfully submitted,

ISAAC PARRISH, M. D.,  
HENRY S. PATTERSON, M. D.,  
EDWARD TOWNSEND,  
H. GIBBONS, M. D.

*Philadelphia, 10th month 8th, 1849.*













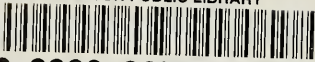








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